

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TYSON CRIMSON,

Plaintiff,

v.

CITY OF MT. VERNON AND CITY OF
SKAGIT,

Defendants.

Case No. C14-91-JLR-JPD

REPORT AND RECOMMENDATION


The plaintiff is proceeding *pro se* and *in forma pauperis* in this 42 U.S.C. § 1983 civil rights action. By Order dated March 6, 2014, the Court declined to serve plaintiff's complaint and granted leave to amend within thirty (30) days. Dkt. 9. On March 27, 2014, plaintiff's mail was returned as undeliverable. Dkt. 10 at 1. On the return envelope an address was handwritten which differed from plaintiff's previous address on file with the Court. It was unclear whether this was plaintiff's new address. *Id.* On March 28, 2014, the Court re-mailed plaintiff the deficiency Order (Dkt. 9), this time to the new address. Dkt. 10. That mail was also returned as undeliverable on April 2, 2014. Dkt. 11.

Because over sixty days have elapsed since mail directed to plaintiff at his address of record was returned to the court by the Post Office as undeliverable, and plaintiff has not yet notified the Court of his current address, the Court recommends that this § 1983 action be

1 DISMISSED without prejudice for failure to prosecute pursuant to Local Rule CR 41(b)(2). A
2 proposed order accompanies this Report and Recommendation.

3 Objections to this Report and Recommendation, if any, should be filed with the Clerk
4 and served upon all parties to this suit by no later than **July 11, 2014**. Failure to file objections
5 within the specified time may affect your right to appeal. Objections should be noted for
6 consideration on the District Judge's motion calendar for the third Friday after they are filed.
7 Responses to objections may be filed within **fourteen (14)** days after service of objections. If
8 no timely objections are filed, the matter will be ready for consideration by the District Judge
9 on **July 18, 2014**.

10 DATED this 20th day of June, 2014.

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13 JAMES P. DONOHUE
14 United States Magistrate Judge
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